SSDA News

Service Station Dealers of America and Allied Trades

VOLUME 33, ISSUE 8 AUGUST, 2019

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SAVE THE DATE!!

SSDA-AT TO HOST ANNUAL MEETING IN LAS VEGAS

By Roy Littlefield

SSDA-AT will host its annual meeting in Las Vegas in conjunction with the SEMA show on **Friday, November 8, 2019.**

The SEMA show runs from Tuesday, November 5th to Friday, November 8th.

The SSDA-AT meeting will take place in the Las Vegas Convention Center Room S116 beginning at 9 am on November 8th.

More details and an agenda to follow!

To order a trade show pass:

CLICK HERE

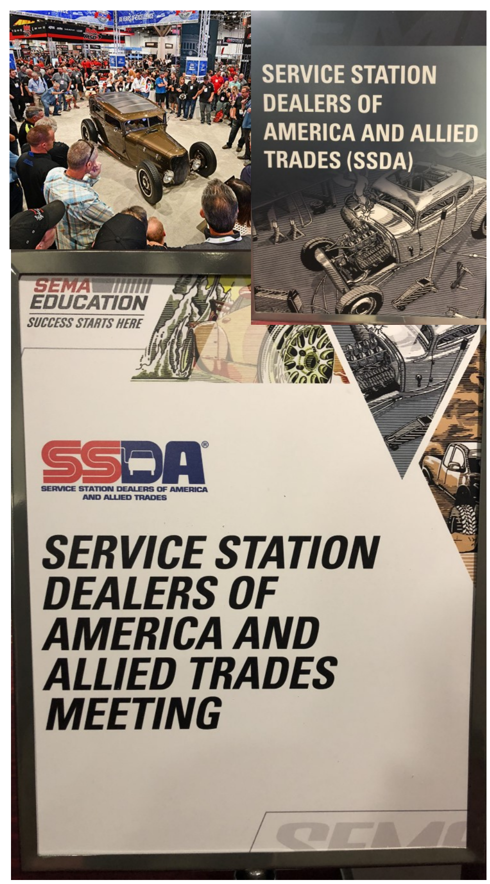
To explore hotel options:

CLICK HERE

And to RSVP officially to the event, contact:

Roy Littlefield IV at rlittlefield2@tireindustry.org or call 301-467-1995.

We look forward to having you at the event!



The Online Edge – What Your Business Needs to Thrive

By: Stephanie Santore, Net Driven

Does your business have an online presence? If so, are you doing all you can to ensure its virtual success? If not, what are you waiting for? Let's take a sneak peek at some statistical findings from the Pew Research Center. According to their most recent studies on the use of internet and technology it was found that:

- Roughly three-quarters of Americans, or 77%, now own a smartphone, which nearly doubles the former findings since the Center began its research in 2011.
- As of November 2016, nearly three-quarters, or 73% of Americans indicate that they have broadband service at home.
- Nearly seven-in-ten Americans now use social media. When the Center started tracking social media adoption in 2005, just 5% of Americans said they used these platforms. Today, 69% of U.S. adults are social media users.
- Half the public now owns a tablet computer. When the Center first began tracking tablet ownership in 2010, just 3% of Americans owned a tablet of some kind.

As you can see, now more than ever before, an online presence for your business is significant. And not just any online presence, but a quality one that provides a sense of credibility and legitimacy, turning its visitors into leads and sales, and contributing to the success of your business.

First impressions matter. If your business has a website, rest assured that internet users are navigating to it to formulate their opinion, to see what other people have to say about you, and to "screen" shop your services and products, which is much like window shopping, but with the ease of never having to actually visit your business's location.

Your business can now be accessible to the masses thanks to technology. Therefore, it's vital to have a way for potential clients to find you with the swipe of their fingertip and also to ensure you have a website that makes a good impression.

So, how do you go about trying to meet your customers' needs online?

Let's Talk Internet Marketing Best Practices

There are several factors that play into the creation of a well-made website that will help your business's online presence generate traffic and rank effectively:

Design & Layout

Visual presentation plays an important role in the functionality of a website. A high-performing website will provide a positive user experience. It helps to have a responsive web design. What makes a website responsive? Responsive design helps to generate leads and sales without any limitations based on user devices. So, customers can find your automotive service site on their tablet, smartphone, smart watch, etc., viewing your website efficiently from any screen size.

Content

Content is the reason why visitors come to a site. They are seeking information about your business and its services. The key is to provide relevant content that is easy for visitors to digest. Too much or too little and your visitors might go elsewhere to find what they're looking for. Check out what Moz has to say about content regarding search engine ranking. By providing unique content that moves beyond self- promotion and is easily digestible to the user, your website offers valuable information.

Calls to Action

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NET DRIVEN

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Calls to action within a site's content and design come in the form of clickable links or custom buttons. It entices a visitor to take action beyond the page they are on, an action like submitting a form, requesting a quote, purchasing a product, or even just clicking a link that leads to another page with relevant information. Through a CTA, a user moves to take a specific action that will benefit your business. And action is what it's all about.

Credibility

A business with an online footprint is a business that can be found, recognized, and confided in.

From building a solid and consistent brand across all channels, to maintaining an active social media presence, gaining positive reviews, managing your online reputation with products like Net Driven's Reputation Management.

Mobile Viewability

More and more people are looking at your site from a mobile phone or web enabled device. It seems like anything with a screen and a microchip in it is capable of getting on the internet these days.

Make sure your site is viewable on a mobile internet enabled device.

Search Engine Optimization

At Net Driven, we drive the traffic that drives your business! It begins with a website that keeps local search in mind.

A strong SEO foundation puts proven strategies to work and improves your ability to get found.

From understanding searcher behavior to using tested best practices, the SEO team at Net Driven works hard to ensure that your site has all of the key ingredients for SEO success. Look to us for:

- Keyword research performed for your business and target geographic
- Optimized meta tags for click through success
- Relevant industry content
- Local directory management
- SEO-friendly site architecture
- and more!

Don't have a website yet? What are you waiting for?!

Talk to a representative from Net Driven today and ask about how we can help you create a website that not only generates traffic, but turns your traffic into leads and sales!

Net Driven should be your choice for all your automotive internet marketing needs.

Contact us today!

Sources:

http://www.pewresearch.org/fact-tank/2017/01/12/evolution-of-technology/

http://www.webs.com/blog/2012/02/28/6-key-elements-to-a-good-website/

https://www.thebalance.com/reasons-small-business-website-2948414

All Employers Are Required to Display Federal and State Postings

All employers are required to post certain federal and state postings.

On a federal level, if an employer has less than 50 employees, they are required to post 5 notices: Fair Labor Standards Act; Employee Polygraph Protection Act; Equal Employment Opportunity; Uniformed Services Employment and Reemployment Rights Act; and Occupational Safety and Health Administration.

If an employer has 50 or more employees, federal law requires that they also post a notice related to the Family and Medical Leave Act. Each state has varying requirements on what notices must be posted.

DOL Publishes Final Regulations Expanding the Availability of HRAs

The Department of Labor, together with the Department of Health and Human Services and the Department of the Treasury (collectively, the “Departments”), published final regulations designed to expand the use of health reimbursement arrangements (“HRAs”).

The final regulations provide, in general, that HRAs may be used to (1) reimburse premiums for individual insurance market coverage, and (2) reimburse non-premium (other than COBRA premium) medical expenses even if the participant is not enrolled in health coverage.

The rules generally apply for plan years starting on or after January 1, 2020.

SSDA-AT will continue to monitor these developments.

New Unsafe Used Tire Law in Ohio

A new law aimed at protecting unsuspecting consumers from the installation of unsafe used tires took effect last month.

Ohio law already allows law enforcement to ticket motorists who drive on tires exhibiting specific unsafe conditions.

However, the new law, which was endorsed by U.S. Tire Manufacturers Association (USTMA) and the Ohio Tire and Automotive Association, adds an additional layer of consumer protections by penalizing retailers that knowingly install unsafe used tires.

The enactment of this law makes Ohio the third state to prohibit the installation of unsafe used tires with specific criteria, including tires with:

-Less than 2/32 inch tread depth

-Damage exposing the reinforcing plies of the tire, including cuts, cracks, punctures or scrapes

-Damage not repaired to industry standards

-Damage to the inner liner or indication of internal separation, such as bulges or local areas of irregular tread wear indicating possible tread or belt separation

Ensuring tires are in safe working order can make a major difference in the performance and safety of a vehicle.

Excessively worn tires are more susceptible to punctures and hydroplaning in wet conditions.

An easy check of tire tread depth should be done using a tread depth gauge or by inserting an upside down penny into the tread to verify it covers at least a portion of President Lincoln's head.

In addition, tire pressure should be measured using a tire gauge while the tires are cold and the car has not been driven for at least three hours.

A vehicle's proper tire pressure is contained in the owner's manual.

Maintaining proper tire pressure, periodically rotating and balancing tires according to the vehicle manufacturer's recommendations (typically every 5,000-7,500 miles) and regularly inspecting tires can help prevent irregular and premature tire wear and keep consumer safe, especially during summer travel season.

Gas Prices Could Rise After Fire-Stricken Refinery Closes

The largest oil refinery on the East Coast said that it will close after a devastating fire that set off explosions and damaged equipment, and analysts said consumers could see gas prices rise as summer travel hits full swing.

Philadelphia Energy Solutions sent a notice to state labor officials that it will shut the plant down and lay off about 1,020 workers there in the next two weeks after that.

The fire significantly damaged equipment and systems at a complex that was already struggling financially, the company said.

Gasoline futures prices spiked the night after the first news of the refinery's possible closure, and prices remained high in days to follow, according to the markets research company FactSet.

Motorists in the Mid-Atlantic region will likely see modest price increases as more summer travelers hit the road, AAA spokeswoman Jana Tidwell said in a statement.

The refinery has been an important source fueling transportation in the region, far from Gulf Coast refineries, and "at least temporarily, it's going to require some logistical shifting that could come at a cost," said Kevin Book, managing director at Clearview Energy Partners.

But while the amount of gasoline that will be lost from the refinery is sizable, it can easily be made up by imports from Europe or elsewhere, said Jonathan Aronson, a research analyst at Cornerstone Macro.

"We're not expecting any major shocks to retail gasoline (prices)," Aronson said. Consumers are more likely to feel gasoline prices increase due to the price of crude oil, which has been rallying in recent days, he said.

Philadelphia Energy Solutions is pursuing opportunities to restart the complex but cannot give any guarantees and, as a result, "all layoffs are expected to be permanent," the company said.

U.S. Sen. Pat Toomey said in a statement that his office was in touch with company officials and that he hopes that an alternative will emerge in coming weeks to prevent the refinery from closing permanently.

The company has shown a declining cash balance in the six months through March while its long-term debt grew, according to reports the company files in U.S. Bankruptcy Court in Delaware.

The 150-year-old oil refining complex processes 335,000 barrels of crude oil daily, according to PES.

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Gas Prices Could Rise After Fire-Stricken Refinery Closes

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The refinery turns the crude into gasoline, jet fuel, propane, home heating oil and other products.

It started as a bulk petroleum storage facility in 1866 and began refinery operations in 1870.

The company emerged from federal bankruptcy court last year after restructuring its debt, leaving its majority ownership in the hands of investment banking firms Credit Suisse Asset Management and Bardin Hill.

The fire at the complex broke out early in the morning, and video showed an enormous orange blast bursting into the sky.

It set off three explosions felt miles away as the fire plowed through a tangle of pipes carrying fuel across the complex, the company has said.

It happened at the Girard Point refinery, one of two at the PES complex in south Philadelphia.

The fire erupted in a tank containing a mixture of butane and propane, a fire official said.

Investigators haven't been able to go to some areas at the complex because they haven't yet been assessed by a structural engineer, the city fire commissioner's office said.

United Steelworkers, which represents the refinery workers, is investigating whether the company had insurance coverage for a destroyed alkylation unit, Ryan O'Callaghan, the president of Local 10-1, told The Philadelphia Inquirer.

It would push the company to rebuild the unit, he said.

"It appears they're cashing the check and heading for the doors," he said.

Trade Truce Sends Oil Prices Higher

Oil prices jumped to their highest point in more than a month, pushed higher by an OPEC+ deal and the ceasefire between Trump and Xi, at least for now.

The OPEC+ extension was largely baked into the market already, but oil prices were up sharply in early trading as traders appeared heartened by the group's resolve to prevent a renewed surplus. However, it was arguably the handshake agreement between President Trump and Xi Jingping to restart trade negotiations that provided a stronger jolt to the oil market.

On the sidelines of the G20 summit, Trump and Xi met privately and agreed to work towards a deal. As a result, Trump agreed to hold off on new tariffs for the "time being." Markets rejoiced that the standoff was not set to escalate at a time when the global economy appears to be weakening. U.S. stocks rallied to an all-time high.

"It's the best outcome you could have expected given the scenario going into the weekend," Ed Campbell, portfolio manager and managing director at QMA, said in a Bloomberg interview. "The rally on this news will probably be short-lived and then we'll go back to worrying about very weak growth data."

Pitfalls remain. The same chasm between the U.S. and China on trade has hardly changed. While restarting talks is hopeful, it's very hard to see how they overcome their differences on big structural policies.

The political dynamic may also constrain both leaders. Trump is trapped between trying to present a tough approach towards China while also needing to avoid an economic slowdown, especially with the presidential campaign heating up. He will even face pressure from some in his own party. For instance, Senator Marco Rubio denounced Trump's decision to back off sanctions on Chinese tech firm Huawei.

"If there is a deal that's done that saves Huawei, within the national-security bureaucracy, the knives will be out," James Green, a former Trump trade negotiator, told the Wall Street Journal.

If Trump is unable or unwilling to offer some concessions to Beijing, it will make his task of reaching an agreement trickier.

Meanwhile, Xi Jingping is also trapped. China's economy is showing significant strain, with U.S. tariffs playing a major role. He needs to somehow head off a more

Trade Truce Sends Oil Prices Higher

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dramatic deceleration in economic growth, while also not appearing to give in to American pressure. The unrest in Hong Kong may also heighten the stakes, leaving him little choice but to present strength.

Moreover, the increasingly hostile rhetoric in Chinese state-run media towards the U.S. suggests that the appetite in Beijing for offering trade concessions to the U.S. is shrinking.

That means that, despite the trade truce, the two sides could find themselves once again at odds in the coming months. In the meantime, the 25 percent tariff on $250 billion of Chinese imports will remain in place. Those tariffs were at 10 percent up until only recently.

While Trump has decided to hold off on an additional in tariffs, the recent increase in tariffs will continue to exact a toll on both economies.

In other words, headwinds from the trade war are not going away, despite the triumphal spin from the Trump administration about China agreeing to purchase huge volumes of farm products from U.S. farmers. “We will give them a list of things we want them to buy,” Trump said.

“Tariffs already implemented are holding back the global economy, and unresolved issues carry a great deal of uncertainty about the future,” IMF Director Christine Lagarde said. Recent data from Europe was not encouraging. A measure of manufacturing activity showed contraction, a worrying sign of a deepening slowdown.

In short, oil traders are pleased that the fight won’t get worse for now, even if there is no easing on tariffs. “It is good news for oil demand that the trade dispute between the US and China will not escalate further for the time being thanks to the Osaka truce.

After all, the IEA had warned in its latest monthly report that a new round of punitive tariffs would throw its demand forecasts into disarray,” Commerzbank wrote in a note.

The delaying of the trade war, combined with the OPEC+ production cuts, could tighten up the market, the investment bank argues. “[T]he market looks set to be undersupplied in the second half of 2019 at the current rate of OPEC production. This is likely to lend buoyancy to oil prices, so we envisage a Brent price of $70 per barrel at year’s end,” Commerzbank said.

But that only assumes the economy doesn’t take a turn for the worse.

Letter to the Editor

Dear SSDA-AT,

As we have heard Democratic candidates in the debates address the risks of climate change, let's take a moment to remember that the U.S. natural gas and oil industry is already developing energy solutions to help address the issue while ensuring that American families have access to the reliable and affordable energy they depend on.

No discussion about the need to reduce carbon emissions is complete without acknowledging the key role that natural gas has played and will continue to play going forward. America is leading the world in reducing carbon emissions largely because of clean natural gas. In fact, the EIA estimates that natural gas is responsible for more CO2 emissions reductions in electricity generation than renewables. And thanks in large part to significant investments in production and innovation in natural gas and oil, and industry initiatives like The Environmental Partnership, natural gas is enabling the U.S. to reduce emissions while simultaneously realizing economic growth.

Our political leaders must consider the realities of this country when planning how best to address the climate challenge. Restrictive energy policies that prohibit fossil fuels could freeze the American energy revolution in its tracks. A report has found that the average American household could see its costs jump hundreds, if not thousands, of dollars due to increased costs for transportation fuel, electricity, home heating and other goods and services. Electricity prices alone could increase an average of over 50 percent.

Rather than pursuing solutions that limit and constrain choices for Americans, we must pursue solutions that reduce CO2 emissions and enable innovation, which will create more opportunities and pathways for Americans to enjoy healthier, freer lives.

Sincerely,

Mike Sommers
President and CEO
API

US to Lead Oil Output Growth Through 2030: ConocoPhillips Chief Economist

The US will lead global oil production growth for the next decade, and tight oil can continue to grow beyond the 2030s even moderate prices, ConocoPhillips chief economist Helen Currie told S&P Global Platts.

ConocoPhillips expects OPEC net production growth of 2 million-3 million b/d during the next decade, while non-US/non-OPEC oil output will remain "a very big part of meeting the world's energy needs" during that period, she said.

"We find plenty of projects that can be developed at a moderate price level," Currie said of the global supply outlook through 2030.

ConocoPhillips expects modest global oil demand growth through the next decade.

US crude exports will keep rising as domestic production grows. They may face constraints at various times as Gulf Coast infrastructure is getting built, "but we don't foresee those being permanent issues," Currie said. "There are plenty of projects along the Gulf Coast."

While some analysts have questioned whether global refining demand can support the growth in US light crude being projected, Currie said she sees growing domestic demand in the form of announced expansions by Gulf Coast refineries and petrochemical plants.

"We are seeing signs of growth in refining and processing capability in the US for the lighter ends," she said.

ConocoPhillips also expects higher demand for US condensates and NGLs from buyers in Europe, Latin America and Asia.

"We think that will continue to grow. ... There's definitely appetite for light US molecules in the Asia market," she said.

Currie shared a more detailed oil market outlook at the Center for Strategic and International Studies during a briefing held under Chatham House rules.

She released some of the findings to Platts.

American Refineries Reach Record Capacity Rates

More American crude is pumping through U.S. refineries, helping to boost crude oil distillation capacity rates to a nearly 40-year high earlier this year, according to the Energy Department.

Crude oil distillation capacity rates are based on an operator's estimate of the input that a distillation unit can process in a 24-hour period under usual operating conditions, recognizing the effects of both planned and unplanned maintenance.

U.S. refineries reached a record high of 18.8 million barrels a day of atmospheric crude oil distillation capacity on January 1 - the highest those rates have been in 38 years. The last time crude oil distillation capacity was that high was in January 1981 at 18.6 million barrels per a day, according to the EIA.

Refineries have also increased the amount of crude oil they are inputting into their systems - referred to as refinery runs. Their crude oil production has more than doubled since 2009, hitting an average of 11 million barrels a day last year.

At the same time refineries are cranking out more products, they're also importing less oil and using more lighter sweet crude from American oilfields. U.S. crude oil imports decreased by 1.3 million barrels a day and U.S. crude oil exports increased by 2.0 million barrels a day, according to the EIA.

On the U.S. Gulf Coast, which is home to about half of U.S. refining capacity, imported only 31 percent of its crude oil inputs to refineries during the first quarter of 2019, down from 68 percent in 2009, according to the EIA.

As American refineries have lightened up their crude slates, they've also shifted to producing more petroleum products that are derived from lighter crude oil, such as jet fuel, gasoline, and distillate, the Energy Department said.

Refineries also are running more secondary refining units, which are downstream refinery units that process the products coming from the atmospheric crude oil distillation unit into lighter petroleum products.

The lighter products often have higher refining margins, a measure that represents the difference between the prices of the petroleum products and the crude oil prices and acts an indicator for the profitability of a refinery.

Montana Governor, 2020 Hopeful Open to Keystone XL Pipeline

Montana Gov. Steve Bullock said during an online meeting about climate change that he's open to supporting the Keystone XL pipeline "if it's done right," a departure from other Democratic presidential candidates who condemn the proposed oil line from Canada as an environmental threat.

Bullock held the town hall-style discussion on Facebook to engage young people on climate change and to announce he is forming a panel to make recommendations on how to reduce emissions in Montana and prepare the state for the effects of climate change.

Bullock also said Montana would become the 25th state to join the U.S. Climate Alliance, a group created in response to President Donald Trump's withdrawal from the 2015 Paris agreement on climate change.

But the governor didn't appear to be prepared for the pipeline question that came from Avery Old Coyote, a Crow tribal member who was one of the young people he invited to sit next to him during the broadcast.

Bullock initially said it was important to consult with Native American tribes whose land the pipeline would pass through and noted that the oil from the Alberta tar sands being hauled over land now is at risk of spills.

But Old Coyote pressed him for an answer, prompting Bullock to decry how the Trump administration has gone about approving the pipeline but leaving himself open to the project itself.

"I've said from the beginning that — look — if it's done right, we can't take it off the table," Bullock said.

Bullock has expressed outright support for the pipeline in the past. His more measured comments Monday underscore the tension of being governor of an energy-producing state while trying to gain traction as one of nearly two dozen Democratic presidential candidates.

Most Democratic candidates oppose the proposed pipeline from Canada, citing its potential to add to greenhouse gas emissions. An exception is U.S. Sen. Michael Bennet of Colorado.

Less than a month after he was sworn in as governor in 2013, Bullock wrote to then-President Barack Obama saying he strongly supported the pipeline project. He wrote that it would create jobs and help domestic energy security, but he said the president should ensure the pipeline does not harm agriculture, wildlife and water resources.

Bullock made similar statements of support in 2014 and 2015.

After the online discussion, Old Coyote, a student entering a Syracuse University doctoral program, said he was "very disappointed" by Bullock's inability to denounce the Keystone XL pipeline.

He said Bullock may have been talking as Montana's governor but that he had Bullock's presidential candidacy in mind when he asked the question.

"I don't want to say I can't support him, but it's going to make it harder," Old Coyote said.

The 1,184-mile (1,900 kilometer) pipeline would begin in Alberta and run through Montana and other states before tying into existing infrastructure in Nebraska.

The $8 billion project has been tied up for years, most recently by legal challenges from environmental advocacy groups that say the Trump administration did not consider potential oil spills and other environmental effects when it issued a 2017 permit.

Earlier this year, Trump tried to invalidate that lawsuit by issuing a new permit for the pipeline and revoking the challenged permit, leading to new lawsuits.

Government Affairs Update

2019 has proved to be a busy one for SSDA-AT in government affairs on both the state and federal levels.

SSDA-AT was there to testify, submit comments, and rally dealers in over a dozen states. And in Washington, SSDA-AT was commenting on and influencing over a dozen issues. With strong grassroots efforts, we were able to defeat some harmful legislation; while working to pass sensible bills in other states. We thank our members and our state associations for partnering with us on these efforts. And we will need to rely on our grassroots base to rally on many federal issues.

In 2019, SSDA-AT has tracked over 150 state bills in our system. Making our state issues public and transparent in a variety of applications has engaged the membership to become more involved. When you reach out to a legislator, attend a hearing, or submit comments, you are influencing the process in which new laws and regulations will impact your business and more broadly the industry.

On the federal level, infrastructure funding was put back on the front burner as President Donald Trump and Democratic congressional leaders agreed to work together on a $2 trillion infrastructure package - but put off for later the difficult question of how to pay for it. Senate Minority Leader Chuck Schumer said, "we agreed on a number." That number being $2 trillion.

SSDA-AT believes that an infrastructure bill is a jobs bill that cuts across party lines. SSDA-AT has opposed any proposed taxes in past infrastructure proposals that would be harmful to the industry.

SSDA-AT believes there are a variety of other funding options available that would not be harmful to the tire industry including repatriation of overseas money. SSDA-AT strongly believes that all users of infrastructure must pay their fair share, not just the highway users.

SSDA-AT will monitor and consider all transportation proposals brought forth in the 116th Congress.

On the death tax front, SSDA-AT is a member of the Family Business Estate Tax Coalition (FBETC). This Coalition is dedicated to the full and permanent repeal of the estate tax. In working with Rep. Kevin Brady and the Coalition we were able to pass the Death Tax Repeal Act of 2015 (HR 1105) on a 240-179 vote. We have supported efforts to fully repeal the Estate Tax in the 116th Congress by supporting the Death Tax Repeal Act (HR 218 and S 215).

SSDA-AT continues to push for a White House Conference on Small Business (WHCSB). In the 116th Congress, we urge Representatives to pass the "White House Conference on Small Business Act of 2019." This legislation is necessary in the near-term to ensure that small business issues remain at the forefront of policy discussions and also to ensure small business has a voice at the highest levels of the American government.

On the regulatory front, SSDA-AT commented with the Small Business Legislative Council on the Department of Labor's new proposed overtime rules: Defining and Delimiting the Exemp-

Government Affairs Update

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tions for Executive, Administrative, Professional, Outside Sales and Computer Employees. SSDA-AT highlighted the impact that these proposed rules might have on America's small businesses and SSDA-AT members. SSDA-AT fully supports the DOL's goal of ensuring that all Americans receive a fair living wage in exchange for their work. SSDA-AT still has concerns that certain aspects of the proposed rules could negatively impact small businesses. However, SSDA-AT does believe that the proposed rules are a significant improvement over the 2016 Final Rule in this area which was enjoined before going into effect and which would have seriously harmed many small businesses and stymied small business growth. In particular, SSDA-AT supports the Department's return to the 2004 methodology for setting the salary threshold for the white-collar exemptions and believes that the proposed threshold is reasonable and consistent with the intent of the Fair Labor Standards Act. SSDA-AT further applauds the Department's decision not to modify the duties tests for the white-collar exemptions.

SSDA-AT remains very concerned with OSHA enforcement, as our members have been subjected to unfair fines and inspections. SSDA-AT has taken part in several OSHA (Occupational Health and Safety Administration) roundtable meetings thus far in 2019 hosted by SBA (Small Business Administration). At the meetings, we received an update about OSHA enforcement.

OSHA inspections have been a huge issue for SSDA-AT members. OSHA is constantly conducting thousands of inspections on the industry and issuing severe fines. This remains a big concern for members. To review some of the statistics from the meeting, last year OSHA conducted 31,202 inspections nationwide. This was a similar number to the previous year. Of those inspections conducted, only 28% of sites were in full compliance. The average fine per violation in 2018 was $5,016. That number being almost double from the year before. We have learned that OSHA is rarely giving breaks on fines and are issuing large sums for small violations. We are seeing warnings used very rarely.

We will continue to raise the concerns of our members to OSHA. SSDA-AT remains in strong communications with OSHA and SBA on tire related issues. These monthly meetings are valuable for the exchange of information between SSDA-AT and these governmental departments.

We anticipate the remainder of 2019 to be busy with a fury of legislation being considered by the 116th Congress.

SSDA-AT will hold a lobby day in 2020.

We encourage service station dealers and repair shop owners in the industry who have never gone to participate and experience Washington and the political process.

Your voice will be heard. More details to come!

Without Evidence of an Underlying Physiological Disorder, Obesity is not a Disability Covered by the ADA

Addressing whether obesity, even without evidence of an underlying physiological condition, meets the definition of physical impairment and is thus an actual disability for Americans with Disabilities Act (ADA) purposes, the Seventh Circuit, joining the Second, Sixth, and Eighth Circuits, held that without evidence a bus operator's extreme obesity was caused by a physiological disorder or condition, his obesity was not a physical impairment.

Nor could he show his employer perceived his obesity to be a physical impairment.

NLRB Rules Overbroad Confidentiality Policy is Unlawful

Employer's confidentiality policy stated in part that "all information gathered by, retained or generated by the Company is confidential. There shall be no disclosure of any confidential information to anyone outside the Company without the appropriate authorization." Finding the rule unlawfully overbroad, the National Labor Relations Board noted that while the rule does not explicitly target wages and working conditions, the rule’s definition of confidential information is so broad as to easily be interpreted to include such information.

Employee wage rates, employment policies, handbook rules, and virtually all other terms and conditions of employment are information that is "generated" and "retained" by the Employer, and a confidentiality rule encompassing such information violates the National Labor Relations Act.

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